



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 01/15/02

AGENDA ITEM 2

WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: Director of Community and Economic Development

SUBJECT: PL-2001-0218 Text Amendment of the Sign Regulations to Permit Changeable Copy Signs in the Industrial District - Gary Fisher (Applicant)

RECOMMENDATION:

Staff and the Planning Commission recommend that the City Council find that the project is exempt from CEQA review and introduce an ordinance for a text amendment to the Sign Regulations permitting *Changeable Copy Signs* in the Industrial District.

DISCUSSION:

Section 10-7.700 of the Sign Regulations currently prohibits *Changeable Copy Signs/Reader Boards* with limited exceptions. Section 10-7.200 defines a *Changeable Copy Sign* as "a permanent sign whose informational content can be changed or altered by manual or electronic means." Currently, the only uses that may use changeable copy signs are theaters and other cultural uses, churches, schools, sports facilities and seasonal events, and commercial centers of at least 4 acres with an approved Master Sign Program.

Gary Fisher, the applicant, is Director of Facilities for eSignal, located at 3955 Point Eden Way; the rear portion of their building backs onto, and is visible from, State Route 92. The company develops software that supplies stock market data for investors and security companies. The applicant would like to install a wall sign on their building that includes an electronic reader board element providing current stock market information (Exhibit A); the total sign area, including the electronic sign, would not exceed the allowable sign area permitted for the building. The Sign Regulations would have to be amended to permit changeable copy signs in the Industrial District.

The proposed amendment to the Sign Regulations (Exhibit D) applies only to wall signs on industrial establishments with frontage on a freeway (I-880 or Highway 92). Hayward has seen an influx of several "e-businesses," which rely on the dispersal of information and might be encouraged to use such signs. These establishments would receive the most benefit from a changeable copy sign. The proposal requires the sign to be incorporated as part of a business identification sign and counted as part of the permitted sign area.

There are a relatively limited number of properties that have freeway frontage and are zoned for industrial use (Exhibit B); these properties along I-880, southerly of Industrial Parkway West,

and along State Route 92, westerly of Industrial Boulevard. However, staff is concerned that an over-concentration of these signs could cause visual clutter, which is discouraged by the General Policies Plan. The Outdoor Advertising Act (Exhibit C), enforced by CalTrans, effectively prohibits over-concentration. Its provisions require a separation of 1000 feet between "message center displays" on the same side of the highway. In addition, the messages on these displays may not use flashing, intermittent or moving light; messages must remain static for at least 4 seconds. Staff believes that these controls adequately protect the freeway corridors from an over-concentration of these signs and from driver distraction.

With the separation provision in the Outdoor Advertising Act, a maximum of 5 of this type of sign would be permitted along each side of State Route 92; a maximum of 4 signs would be permitted along the easterly side, and 2 along the westerly side, of I-880. It is unlikely that the maximum numbers would be reached since buildings are not spaced at optimum intervals.


In this case, there is a nexus between the applicant's "product" and a changeable copy sign displaying stock market data. The applicant has requested a business identification sign with a changeable copy element, consisting of a tri-color LED "message center display;" the display would measure 2 feet by 20 feet, occupying 25 percent of the business identification sign of 160 square feet. The building is also placed at an angle to the freeway such that motorists have maximum exposure to the sign; building façades parallel with the freeway, as most are, would not likely benefit from the use of these signs.

The Planning Commission recommended approval of the proposed ordinance by a 4-3 vote. Commission supporters stated a need to change with technology, that the use of such signs will be limited, and that such signs will provide value to a building's tenant. Commission concerns included safety, over-concentration, distraction to good design and landscaping, and the lack of a provision requiring public hearings for these signs.

CONCLUSION

Changeable Copy Signs/Reader Boards can provide a public service as evident in their use by public and quasi-public uses. Staff believes that certain industrial uses, especially today's "e-businesses," can also provide valuable public service information in connection with the use of these signs. The *Outdoor Advertising Act* limits the impacts of these signs so that there is no potential of degrading the appearance of the City's entry corridors. The Planning Director has the authority to refer to the Planning Commission sign permit applications that are unattractive and do not promote sound signing practices.

Prepared by:



Richard E. Patenaude, AICP
Principal Planner

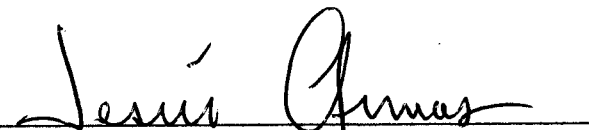
Recommended by:



Sylvia Ehrenthal

Director of Community and Economic Development

Approved by:



Jesús Armas, City Manager

Attachments: Exhibit A. Diagram of Applicant's Proposal
Exhibit B. Map of Potential Sign Locations
Exhibit C. Excerpt from Outdoor Advertising Act
Exhibit D. Sign Regulations Excerpts with Proposed Amendments
Exhibit E. Planning Commission Agenda Report/Draft Planning
Commission Minutes, dated December 6, 2001
Exhibit F. Findings of Approval
Exhibit G. Letter from Scott Raty, Hayward Chamber of Commerce, dated
September 25, 2001
Draft Ordinance

1/10/02

SIZES ARE APPROX.

1.2" 8 x 184 TRI-COLOR LED MESSAGE CENTER DISPLAY
w/ ILLUMINATED I.D. PANEL

eSignal

A division of Interactive Data Corporation
www.esignal.com

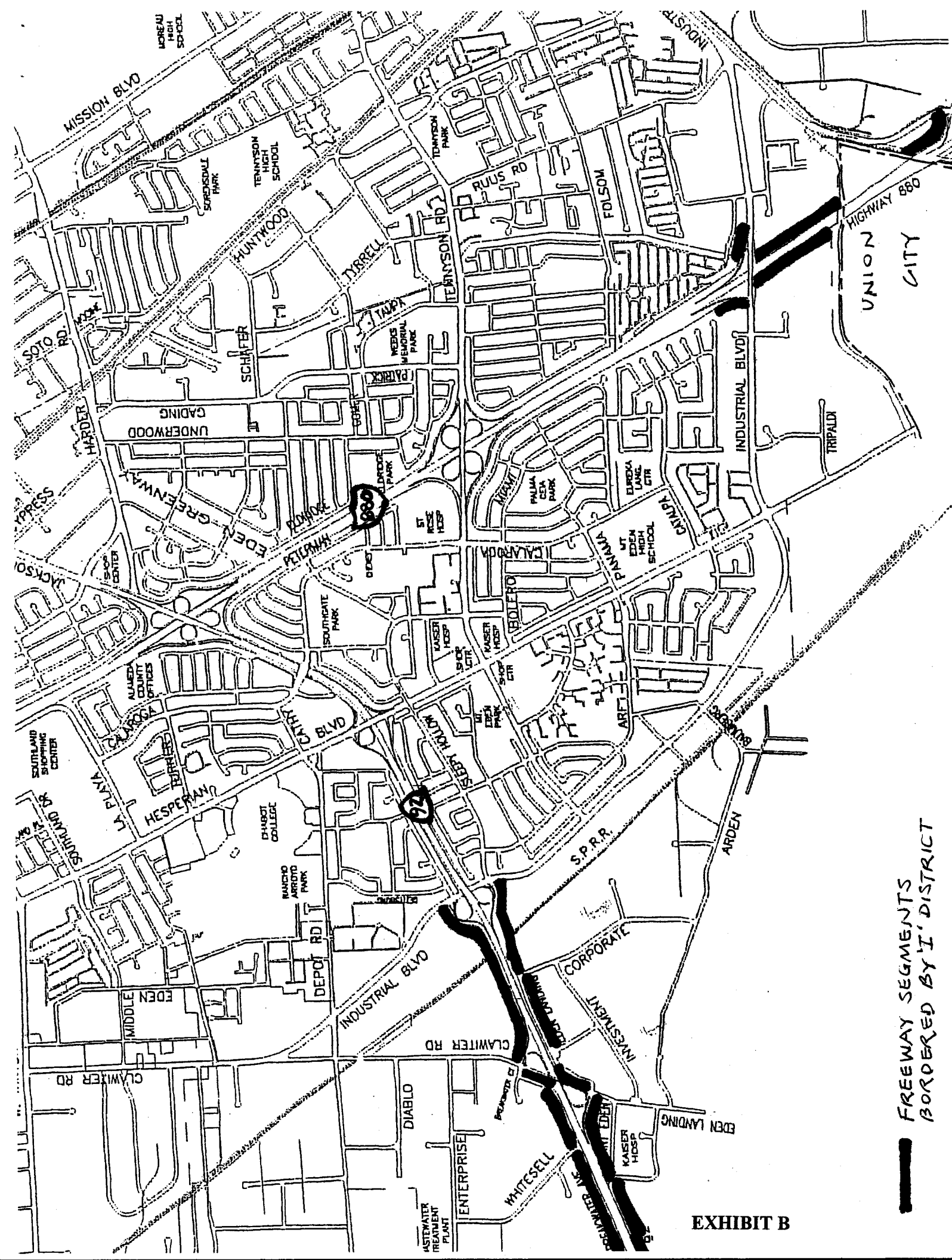
CABINET DIMENSIONS: MESSAGE CENTER: H= 1 ft 10 in W= 20 ft UPPER I.D.: H= 6 ft 2 in W= 20 ft

DWG#ESIGNAL3
FILE:PC2\ILL\DWG\IGS

APPROVAL: _____

EXHIBIT A

TRANS·LUX®
110 Richards Avenue
Norwalk, Connecticut 06854
1-800-243-5544 / www.trans-lux.com
All drawings are the property of Trans-Lux and shall
not be copied or duplicated without written permission.



FREEWAY SEGMENTS
BORDERED BY 'I' DISTRICT

EXHIBIT B

Outdoor Advertising Act

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intersection or interception, or if any such display does not project more than one foot therefrom.

(b) If placed in such a manner as to prevent any traveler on any highway from obtaining a clear view of approaching vehicles for a distance of 500 feet along the highway.

Interstate and Primary: Categories of Authorized Displays

5405. Notwithstanding any other provision of this chapter, no advertising display shall be placed or maintained within 660 feet from the edge of the right-of-way of, and the copy of which is visible from, any interstate or primary highway, other than any of the following:

- (a) Directional or other official signs or notices that are required or authorized by law, including, but not limited to, signs pertaining to natural wonders and scenic and historical attractions, and which comply with regulations adopted by the director relative to their lighting, size, number, spacing, and any other requirements as may be appropriate to implement this chapter which are consistent with national standards adopted by the United States Secretary of Transportation pursuant to subdivision (c) of Section 131 of Title 23 of the United States Code.
 - (b) Advertising displays advertising the sale or lease of the property upon which they are located, if all advertising displays within 660 feet of the edge of the right-of-way of a bonus segment comply with the regulations adopted under Sections 5251 and 5415.
 - (c) Advertising displays which advertise the business conducted, services rendered, or goods produced or sold upon the property upon which the advertising display is placed, if the display is upon the same side of the highway as the advertised activity; and if all advertising displays within 660 feet of the right-of-way of a bonus segment comply with the regulations adopted under Sections 5251, 5403, and 5415; and except that no advertising display shall be placed after January 1, 1971, if it contains flashing, intermittent, or moving lights (other than that part necessary to give public service information, including, but not limited to, the time, date, temperature, weather, or similar information, or a message center display as defined in subdivision (d)).
- (d) (1) Message center displays that comply with all requirements of this chapter. The illumination or the appearance of illumination resulting in a message change of a message center display is not the use of flashing, intermittent, or moving light for purposes of subdivision (b) of Section 5408, except that no message center display may include any illumination or message change that is in motion or appears to be in motion or that changes in intensity or exposes its message for less than four seconds. No message center display may be placed within 1,000 feet of another message center display on the same side of the highway. No message center display may be placed in violation of Section 131 of Title 23 of the United States Code.
- (2) Any message center display located beyond 660 feet from the edge of the right-of-way of an interstate or primary highway and permitted by a city, county, or city and county on or before December 31, 1988, is in compliance with Article 6

SEC. 10-7.403 SIGN REGULATIONS BY ZONING DISTRICT.

(j) I, (Industrial), AT-IP (Airport Terminal Industrial), and AT-R (Airport Terminal Recreational) Districts

Number: ~~1 sign per 50 linear feet of establishment frontage; up to 3 maximum.~~

Maximum Number One sign per 50 linear feet of establishment frontage; up to three signs maximum.

Maximum Area One square foot per linear foot of establishment frontage, or 25 square feet, whichever is greater.

Freestanding/Monument Sign - 14 feet.

Wall Sign(s) - No higher than building wall it is mounted on. Exception: freeway-oriented sign if applicable for businesses which provide food, fuel, or lodging (Section 10-7.401, Section 10-7.402 and Section 10-7.700(n).

Setback 10 feet from all property lines, except freestanding or monument sign that is no higher than 6 feet may be two feet from the front property line so long as it does not interfere with visibility.

Illumination All types in accordance with Section 10-7.308.

Additional Industrial or office complex or directory sign: One per complex, with maximum sign area of 50 square feet per face; 100 square feet total. When a complex has two or more street frontages, two or more street entrances, or a large number of buildings, the Director of Community and Economic Development/Planning Director may approve additional signs as needed to adequately direct the public to the business location.

Changeable Copy Signs/Reader Boards are permitted when designed as part of a freeway-oriented business identification sign. The ***Changeable Copy Sign/Reader Board*** may not comprise more than 50 percent of the area of the primary sign. No additional sign area may be permitted for a ***Changeable Copy Sign/Reader Board***. Such signs are subject to the provisions of the State Outdoor Advertising Act.

SEC. 10-7.700 PROHIBITED SIGNS. Except as otherwise qualified, the commercial and advertising signs in this section shall not be permitted in any District:

- (c) Changeable Copy Signs/Reader Boards. ~~Permanent signs for commercial or industrial uses that can accommodate copy which can be changed by the user.~~ Exception: Signs for facilities used for theatrical, cultural, church, school, sports or other seasonal events, or for industrial uses with establishment frontage on a freeway. See also Chart Theater Signs; Exempt Section Bulletin Boards.)

~~Commissioner Zermeno then recommended that access from the garage directly into the building also be looked at.~~

Principal Planner Patenaude said staff would explore that option with the developer.

Chairperson Halliday asked whether this building would block off windows in the building behind it.

Principal Planner Patenaude said no, although it may block the east corner of that building. However, the same owner owns both buildings.

The motion passed unanimously.

2. PL-2001-0218 Text Amendment of the Sign Regulations – Gary Fisher (Applicant):
Request to Modify the Sign Regulations to Permit Changeable Copy Signs in the Industrial District

Principal Planner Patenaude described the location of the property. He gave an overview of the building and the company, and the need for the company, esignal, to describe their business with changeable signs. Staff expressed concern that if too many changeable copy signs were in the area, it would be clutter. The proposal is for changeable copy signs only in the Industrial District. The Outdoor Advertising Act includes several requirements to allow changeable copy on signs. These requirements provide the City with adequate controls of its own. Staff is proposing that if a business uses them, additional sign allowance not be allowed. It must fit into their allotment for signage.

Commissioner Caveglia asked for further information about the scrolling.

Principal Planner Patenaude said that every 4 seconds a new message can appear. It's not going to be like Times Square where there is a constant rolling of words. He suggested that this will probably be more generic.

Commissioner Sacks asked whether it would be similar to the sign at the Coleseum.

Principal Planner Patenaude said it would be, as well as the new sign at Southland.

The public hearing opened at 8:11 p.m.

Ed Mullins spoke on behalf of the Hayward Chamber of Commerce to support changing the Sign Ordinance to allow this difference. He commented on the letter Scott Raty had provided also supporting the change. This is a positive enhancement to an important Gateway to the City. This sign reflects the new economy and the new businesses Hayward is trying to attract. He cited several other examples of similar signs in Hayward including those at Moreau High School, and Chabot College. He urged approval.

Scott Johnson, San Mateo, said he was there to encourage the Commission to allow the sign.

MINUTES



REGULAR MEETING OF THE PLANNING COMMISSION, CITY OF HAYWARD, Council Chambers

Thursday, December 06, 2001, 7:30 P.M.
777 "B" Street, Hayward, CA 94541

He said this is important to the company as the perfect symbol to answer the question of they do. He noted that their company is part of a multi-national conglomerate. They are a good representation for the City. They were formerly in San Mateo for 13 years. He said their company will be a very social, active group for the City. They are the best at what they do.

The public hearing closed at 8:16 p.m.

Commissioner Williams said he was really impressed by the presentation. Company is world-wide. He commented that we have to change with the times. He then Scott Johnson, San Mateo **moved**, seconded by Commissioner Sacks, to recommend to City Council the text amendment of the Sign Regulations.

Commissioner Caveglia said he thought this was a terrible idea as well as dangerous. It will cause attention-gathering along that heavy corridor. He stated that he was happy with the Sign Ordinance as it stands.

Commissioner Thnay commented that it is going to be limited and will not impact residential. He noted that it does not cause too many distractions. He commented that a sign tastefully done has value. He wondered how in the future they could insure applications will be equally well regulated and when do you say, "No."

Principal Planner Patenaude commented that anyone else would still need to meet the qualifications of the State Ordinance as well as the City's. Staff estimates with 1,000 feet required between signs, five at the most could be accommodated, on the westerly, two at the most and on the easterly side, three or four, depending on the placement. Each would also have to apply for a sign permit.

Commissioner Bogue spoke of his concerns regarding the spacing every 1,000 sq. feet and noted he could not support the text amendment.

Commissioner Sacks said that a part of this is a safety issue. She said she did not see it as safety at that location. The biggest problem is drivers not paying attention. She said she liked the concept of "branding" the building.

Commissioner Zermeno said similar concerns were expressed when Chabot erected their scrolling sign, but nothing has happened. He said he did not see any problem with this. When we drive we are trying to keep our eyes on the road.

Chairperson Halliday said she welcomed this business in Hayward but she was opposed to adding this kind of sign. She commented that it is a beautiful landscape that we have here and she would like people to see it. It is too much to ask to change the Sign Ordinance. She said she would vote no.

The motion carried by the following vote:

AYES: COMMISSIONERS Thnay, Sacks, Williams,
Zermeño
NOES: COMMISSIONER Bogue, Caveglia
CHAIRPERSON Halliday
ABSENT: None
ABSTAIN: None

3. Appeal of Administrative Use Permit Application No. 01-150-22 – Mimi Bauer for the Fairway Park Neighborhoods Association (Appellant), Derek Smitheram for Metro PCS (Applicant), McDonald & Sommers Partnership, et al (Owner): Appeal of an Administrative Use Permit Approval to Allow the Mounting of 6 Panel Antennas on the Roof of the Holiday Bowl. The Property is Located at 29827 Mission Boulevard in the CN (Neighborhood Commercial) Zoning District (to be continued)

ADDITIONAL MATTERS

4. Oral Report on Planning and Zoning Matters

Planning Manager Anderly reported that next week, a regularly scheduled Planning Commission meeting would be held to discuss the environmental document of the General Plan, as well as Sustainable Growth. This is the initial opportunity for the public to comment.

Chairperson Halliday encouraged anyone who was interested to go to the City's website for further information on the subject.

5. Commissioners' Announcements, Referrals

Commissioner Zermeño asked about work being done on the corner of Hesperian and Winton and whether work is being started for the new Staples store. He was told that they have not received a building permit yet.

MINUTES

November 1, 2001 Approved with a minor change

ADJOURNMENT

Chairperson Halliday adjourned the meeting at 8:34 p.m., in memory of Bill Looney who was a courier for the City and the Planning Commission, and husband of the Commission Secretary.

APPROVED:



CITY OF HAYWARD AGENDA REPORT

Meeting Date: 12/06/01

Agenda Item: 2

TO: Planning Commission

FROM: Richard E. Patenaude, Principal Planner

SUBJECT: PL-2001-0218 Text Amendment of the Sign Regulations – Gary Fisher
(Applicant): Request to Modify the Sign Regulations to Permit Changeable Copy Signs in the Industrial District

RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council find that the project is exempt from CEQA review and approve a text amendment to the Sign Regulations permitting *Changeable Copy Signs* in the Industrial District.

BACKGROUND

Section 10-7.700 of the Sign Regulations currently prohibits *Changeable Copy Signs/Reader Boards*. Section 10-7.200 defines a *Changeable Copy Sign* as "a permanent sign whose informational content can be changed or altered by manual or electronic means." The regulations exempt from prohibition signs for facilities used for theatrical, cultural, church, school, sports or other seasonal events, and for commercial centers of at least 4 acres with an approved Master Sign Program.

Gary Fisher, the applicant, is Director of Facilities for eSignal, located at 3955 Point Eden Way; the rear portion of their building backs onto, and is visible from, State Route 92. The company develops software that supplies stock market data for investors and security companies. The applicant would like to install a wall sign on their building that includes an electronic reader board element providing current stock market information. The Sign Regulations would have to be amended to permit changeable copy signs in the Industrial District.

DISCUSSION

Staff proposes that the amendment to the Sign Regulations apply only to wall signs on industrial establishments with frontage on a freeway (I-880 or Highway 92). These establishments would receive the most benefit from a changeable copy sign. The proposal requires the sign to be incorporated as part of a business identification sign and counted as part of the permitted sign area.

There are a relatively limited number of properties that have freeway frontage and are zoned for industrial use (see Exhibit B); these properties along I-880, southerly of Industrial Parkway West, and along State Route 92, westerly of Industrial Boulevard. However, Hayward has seen an influx of several "e-businesses," which rely on the dispersal of information and might be encouraged to use such signs. Staff is concerned that an over-concentration of these signs could cause visual clutter, which is discouraged by the General Policies Plan. The Outdoor Advertising Act, enforced by CalTrans, effectively prohibits over-concentration. Its provisions require a separation of 1000 feet between "message center displays" on the same side of the highway. In addition, the messages on these displays may not use flashing, intermittent or moving light; messages must remain static for at least 4 seconds. Staff believes that these controls adequately protect the freeway corridors from an over-concentration of these signs and from driver distraction.

In this case, there is a nexus between the applicant's "product" and a changeable copy sign displaying stock market data. The applicant has requested a business identification sign with a changeable copy element, consisting of a tri-color LED "message center display;" the display would measure 2 feet by 20 feet, occupying 25 percent of the business identification sign of 160 square feet.

ENVIRONMENTAL REVIEW

This item is exempt from CEQA under Section 15061(3). This activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

PUBLIC NOTICE

A legal ad was placed in *The Daily Review* on November 24, 2001. The applicant submitted a letter dated September 25, 2001, from Scott Raty, President and CEO of the Hayward Chamber of Commerce, in support of the amendment to the Sign Regulations to permit "digital reader boards" (see Attachment E).

CONCLUSION

Changeable Copy Signs/Reader Boards can provide a public service as evident in their use by public and quasi-public uses. Staff believes that certain industrial uses, especially today's "e-businesses," can also provide valuable public service information in connection with the use of these signs. The *Outdoor Advertising Act* limits the impacts of these signs so that there is no potential of degrading the appearance of the City's entry corridors.

Prepared by:



Richard E. Patenaude, AICP
Principal Planner

Recommended by:



Dyana Anderly, AICP
Planning Manager

Attachments:

- A. Sign Regulations Excerpts with Proposed Amendments
- B. Map of Potential Sign Locations
- C. Excerpt from the Outdoor Advertising Act
- D. Diagram of Applicant's Proposal
- E. Letter of Support from the Chamber of Commerce

**FINDINGS FOR APPROVAL
AMENDMENT TO SIGN REGULATIONS
SECTIONS 10-7.403 and 10-7.700
SIGN REGULATIONS BY ZONING DISTRICT/PROHIBITED SIGNS
TEXT AMENDMENT NO. PL-2001-0218**

- A. Approval of Text Amendment Application No. PL-2001-0218 is exempt from environmental review in accordance with Section 15061(3) of the California Environmental Quality Act (CEQA) Guidelines;**
- B. Substantial proof exists that the proposed text amendment relative to changeable copy signs will promote the public health, safety, convenience, and general welfare of the residents and business operators in Hayward by ensuring a more vibrant business experience and by providing for greater opportunities for dissemination of public-interest information;**
- C. The proposed text amendment is in conformance with the purposes of the Sign Regulations and all applicable, officially adopted City policies and plans in that the purpose and methods of the proposed amendment supports the General Policies Plan endorsement of attractive and successful industrial corridors and reduction of confusing visual overlays of signs;**
- D. Streets and public facilities existing or proposed will not be impacted and will continue to be able to serve all structures that would be impacted by adoption of this ordinance; and**
- E. Providing for the display of public-interest information will be compatible with present and potential future uses and with similar displays already permitted for other uses, and, further, a beneficial effect will be achieved which is not obtainable under existing regulations in that changeable copy signs indicate the presence of a lively and successful industrial corridor.**



September 25, 2001

Mr. Norman Weisbrod, Project Planner
Planning Division, City of Hayward
777 B Street
Hayward, CA 94541

RE: PL-2001-0221/0218 UP/TC - eSignal signage application for 3955 Pot Eden Way

Dear Mr. Weisbrod:

On behalf of the Hayward Chamber of Commerce I am pleased to support the above referenced application for a text amendment of the sign ordinance, allowing for digital reader boards.

The City of Hayward has long sought to enhance the appearance of "gateways" to the city for both aesthetic and economic development purposes - so much so, that specific policy to this effect is part of the General Policies Plan. The signage eSignal proposes will be an enhancement at the western-most gateway to Hayward.

eSignal represents the "new economy" that both the Chamber and the City are actively pursuing for our industrial area. It is common knowledge that hi-tech, bio-tech and communications firms tend to locate in proximity to one another, and this tastefully done signage will serve as a daily reminder to all who travel 92 that Hayward is home to new economy firms. Precisely such signage is by a major brokerage company in a monument sign outside the firm's high-rise office in beautifully revitalized downtown San Jose.

Just as new electronic signage at Southland Mall, Moreau Catholic High School and Chabot College have been well received and useful, so too will signage that speaks to the very nature of eSignal's business.

Finally, the City has gone to great lengths to screen the planned Russell City Energy Center on the north side of 92 with the creation of the facade known as "the wave". Practically speaking, day-in and day-out, I believe the eSignal sign will do a far more effective job screening the plant simply by giving passersby a reason to glance south rather than north.

Respectfully,


Scott Raty
President/CEO

Cc: Gary Fisher, eSignal
Britannia Management Services, Inc.

DRAFT

ORDINANCE NO. ____

me
1/8/02

AN ORDINANCE REVISING THE SIGN REGULATIONS
CONTAINED IN HAYWARD MUNICIPAL CODE CHAPTER
10, ARTICLE 7, SECTIONS 10-7.403(j) AND 10-7.700(c)

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. This ordinance adopts amendments to various provisions of the Sign Regulations codified as Chapter 10, Article 7 of the Hayward Municipal Code. The City Council finds that the amendments will assist in ensuring a more vibrant business experience and provide greater opportunity for dissemination of public interest information for the City's residents and business operators. The City Council further finds that the project is categorically exempt from review under the California Environmental Quality Act.

Section 2. Chapter 10, Article 7, Section 10-7.403(j) of the Hayward Municipal Code is amended to read in full as follows:

"SEC. 10-7.403 SIGN REGULATIONS BY ZONING DISTRICT.

"(j) I (Industrial), AT-IP (Airport Terminal Industrial), and AT-R (Airport Terminal Recreational) Districts

Maximum Number One sign per 50 linear feet of establishment frontage, up to three signs maximum.

Maximum Area One square foot per linear foot of establishment frontage, or 25 square feet, whichever is greater.

Freestanding/Monument Sign - 14 feet.

Wall Sign(s) No higher than building wall it is mounted on. Exception: freeway-oriented sign if applicable for businesses which provide food, fuel, or lodging (section 10-7.401, Section 10-7.402 and Section 10-7.700 (n).

Setback 10 feet from all property lines, except freestanding or monument sign that is no higher than 6 feet may be two feet from the front property line so long as it does not interfere with visibility.

Illumination All types in accordance with section 10-7.308.

Additional

Industrial or office complex or directory sign: One per complex, with a maximum sign area of 50 square feet per face; 100 square feet total. When a complex has two or more street frontages, two or more street entrances, or a large number of buildings, the Director of Community and Economic Development/Planning Director may approve additional signs as needed to adequately direct the public to the business location.

Changeable Copy Signs/Reader Boards are permitted when designed as part of a freeway-oriented business identification sign. The *Changeable Copy Sign/Reader Board* may not comprise more than 50 percent of the area of the primary sign. No additional sign area may be permitted for a *Changeable Copy Sign/Reader Board*. Such signs are subject to the provisions of the State Outdoor Advertising Act."

Section 3. Chapter 10, Article 7, Section 10-7.700(c) of the Hayward Municipal Code is amended to read in full as follows:

"SEC. 10-7.700 PROHIBITED SIGNS. Except as otherwise qualified, the commercial and advertising signs in this section shall not be permitted in any District:

(c) Changeable Copy Signs/Reader Boards. Exception: Signs for facilities used for theatrical, cultural, church, school, sports or other seasonal events, or for industrial uses with establishment frontage on a freeway.

INTRODUCED at a regular meeting of the City Council of the City of Hayward, held the ____ day of _____, 2002, by Council Member _____.

ADOPTED at a regular meeting of the City Council of the City of Hayward, held the ____ day of _____, 2002, by the following votes of members of said City Council.

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: _____
Mayor of the City of Hayward

DATE: _____

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward